

Date: February 17, 2009

107101-10-WCG  
GRA 3188 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Johannes BARTHOLOMAUS, et al.  
Serial No. : 10/718,112  
Filed : November 20, 2003  
For : ABUSE-PROOFED DOSAGE FORM  
Art Unit : 1618  
Examiner : Melissa Jean Perreira

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Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

Sir:

Your petitioner, GRUNENTHAL GMBH of Zieglerstrasse 6, D-52078 Aachen, Germany represents that it is the 100% owner of the above-identified application by virtue of an assignment which was recorded in the U.S. Patent Office on 05/22/2006 at Reel 01790, Frame 0832. Your petitioner hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of any patent issuing from application Serial No. **10/890,763** and hereby agrees that any patent so granted on said above-identified application shall be enforceable only for and during such period that the legal title to said patent for said above-identified application shall be the same as the legal title to any patent issuing from application Serial No. **10/890,763**, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on said above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. **10/890,763** in the event that any said issued patent later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid, (4) is statutorily disclaimed in whole, (5) is terminally disclaimed under 37 CFR 1.321(a), (6) has all claims canceled by a reexamination certificate, or (7) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

The undersigned is an attorney of record and authorized to sign and submit this terminal disclaimer, and has no ownership interest in the above-identified application.

**The Commissioner is hereby authorized to charge the fees as required to Deposit Account Number 14-1263.**

(check one):

☒ \$130.00 - Large Entity

☐ \$65.00 - Small Entity

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By /William C. Gerstenzang/  
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WCG/tmo

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